

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

MAY 29 2015

United States of America

v.

See "Attachment A"

Clerk of Court

Case No. M-15-0855-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 28, 2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841

Knowingly and intentionally possess with the intent to distribute a controlled substance/approximately 39 kilograms of cocaine, a schedule II controlled substance under the Controlled Substance Act.

21 USC 846

Knowingly and intentionally conspire and agree with others to distribute a controlled substance/approximately 39 kilograms of cocaine, a schedule II controlled substance under the Controlled Substance Act.

18 USC 2

Aid and Abet

This criminal complaint is based on these facts:

See "Attachment B"

☒ Continued on the attached sheet.approved by
USA KATJR

D L

Complainant's signature

Derek Lacina Special Agent, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/29/2015

Dorina Ramos

Judge's signature

City and state: McAllen, TX

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

Attachment "A"

1 Carlos Guerrero
United States Citizen
YOB: 1973

2 Yadira Martinez-Gomez
Mexican Citizen
YOB: 1993

3 Raul Sanchez-Solano
Mexican Citizen
YOB: 1977

4 Rodolfo Hernandez-Flores
Mexican Citizen
YOB: 1974

Attachment "B"

On May 28, 2015, Homeland Security Investigations, McAllen, TX (HSI McAllen) Special Agents (SAs) initiated surveillance on a red colored Mercury Mountaineer bearing Tamaulipas, Mexico license plate number 233-TPW-4 which was being driven by Yadira MARTINEZ-Gomez. The surveillance team, which included HSI SAs and Task Force Officers (TFOs) assigned to HSI McAllen, followed the Mercury Mountaineer from Hidalgo, TX to numerous business and parking lots including the Walmart parking lot located off of Jackson and Frontage Road. MARTINEZ-Gomez eventually drove the vehicle to the HEB Grocery store parking lot located at 200 U.S. Expressway 83, in McAllen, TX. While at the HEB parking lot, MARTINEZ-Gomez exchanged what appeared to be car keys with an individual whom was later identified as Rodolfo HERNANDEZ-Flores. HERNANDEZ-Flores then entered the Mercury Mountaineer and drove the vehicle to a residence located at 903 Via Cantera in San Juan, TX. HERNANDEZ-Flores proceeded to drive the vehicle into the garage of the residence and the garage door was subsequently closed. Shortly thereafter a male who was later identified as Carlos GUERRERO exited the residence and entered a silver colored Nissan Altima and drove it to a nearby store. San Juan Police Department subsequently performed a traffic stop on the vehicle. During the traffic stop, a San Juan Police officer observed that GUERRERO appeared to be nervous and requested to search his vehicle. During a search of the vehicle, Police officers discovered approximately \$1,000 of U.S. currency in the vehicle. A K-9 dog also alerted to the odor of narcotics being emitted from the bag which the money was being concealed in.

During this time period, agents observed the garage door open at the residence located at 903 Via Cantera. The Mercury Mountaineer subsequently exited the garage and exited the location. Pharr Police Department subsequently performed a traffic stop on the vehicle, which was being driven by HERNANDEZ-Flores. During the traffic stop, agents observed that HERNANDEZ-Flores arms were covered in dirt and or grease. HERNANDEZ-Flores was subsequently temporary detained.

HSI SAs subsequently approached the residence located at 903 Via Cantera and rang the doorbell. Raul SANCHEZ-Solano answered the door and gave agents voluntary written consent to search the residence. During the consent search of the garage of the residence, agents discovered approximately thirty six (36) bundles of a white powdery substance which field tested positive for the properties of cocaine. The total weight of the thirty six (36) bundles was approximately (thirty nine) 39 kilograms. Agents further discovered a large of amount of cash and two handguns in the residence.

Agents interviewed SANCHEZ-Solano who stated that he resides at 903 Via Cantera and his room is the room which contains one of the handguns which agents discovered. This was the same room which agents discovered a large amount of currency. SANCHEZ-Solano stated that the handgun in his room belonged to him and he purchased the handgun approximately six months ago for \$380 in Edinburg, TX. Approximately \$35,000 of the U.S. currency in his room belonged to him and the remaining amount of currency belonged to a friend of his. SANCHEZ-Solano stated that the residence belongs to GUERRERO and drugs are regularly stored at the residence. He further stated that GUERRERO pays him to keep an eye on the house and keep quiet. GUERRERO pays him approximately \$2,000 to \$3,000 each time that narcotics are brought to the residence. SANCHEZ-Solano stated that he does not see who drops off the

narcotics. The last time that he saw bricks of narcotics at the residence was approximately two weeks ago and GUERRERO was handling the narcotics. Whenever GUERRERO is out of town, no one delivers or picks up narcotics. At approximately noon today, he heard GUERRERO talking to a person at the residence and around the same time GUERRERO was also speaking to someone over the phone. SANCHEZ-Solano stated that he takes full responsibility for his actions.

Agents interviewed HERNANDEZ-Flores who stated that earlier in the day, he went and picked up the truck at the HEB and drove it to the residence. Once at the residence, he parked the vehicle in the garage and someone closed the garage door. He then took stuff out. Agents asked HERNANDEZ-Flores what type of drug he took out of the vehicle. HERNANDEZ-Flores subsequently stated that he never told agents that he took anything out. He stated that once he parked the vehicle in the garage, he walked towards the back of the vehicle and did not see anyone take anything out of the vehicle. He stated that he was paid \$500 to pick up the truck at HEB and drive it to the residence. Agents told HERNANDEZ-Flores that there was no legitimate reason why anyone would pay him \$500 to pick up a vehicle and drive it to a residence and he agreed with the agents. HERNANDEZ-Flores stated that he was afraid for his family's safety and did not want to talk. Agents asked HERNANDEZ-Flores on why he was covered in grease, he then stated that he was working in the flower bed and he got grease on himself while working in the flower bed. He further stated that before he was traffic stopped, he was on his way to drop the vehicle back off at the HEB.

Agents interviewed GUERRERO who stated that he currently resides at 903 Via Cantera in San Juan, TX. He went on to say that he previously served approximately seven years in Federal custody for federal drug conspiracy charges. GUERRERO stated that the handgun which was in his room belonged to him and he had it due to the fact that some people wanted to kill him. GUERRERO stated that at approximately 0800 hours this morning he went the gym with Rodolfo HERNANDEZ. They subsequently went to eat at a restaurant located at Jackson and Frontage road. At around noon he allowed Rodolfo HERNANDEZ to use his garage to change the radiator on the Mercury Mountaineer. GUERRERO stated that he left the residence shortly after Rodolfo arrived at the residence.

Agents interviewed MARTINEZ-Gomez who stated she was being paid \$500 to cross the Mercury Mountaineer into the U.S. She stated that she has previously crossed the vehicle into the U.S. approximately ten times. She was told that she was transporting currency from Mexico into the U.S. She knew the money which she was transporting was drug money. MARTINEZ-Gomez stated that she was suspicious that the vehicle contained narcotics in it when she crossed into the U.S. She subsequently thought that she was no longer transporting drugs in the vehicle after CBP searched it and did not discover any narcotics in the vehicle. The vehicle was registered in her name however she only had access to the vehicle once they gave it to her to cross into the U.S. Once she returned to Mexico, she had to return the vehicle. MARTINEZ-Gomez stated that earlier today, she drove the Mercury Mountaineer to the HEB and someone else picked up the vehicle.